

**In the Claims**

Please amend the claims as follows:

Claims 1-14 (canceled)

15. (Currently Amended) A computer implemented replacement selection method comprising:

creating a tree with a root node, multiple non-root nodes, and leaf nodes, each node having a first integer identifying one of at least three input data streams and a status identifier identifying a status of each of said input data streams, wherein a number of input streams is odd;

processing a data item from each of said at least three input streams by placing one data item from each of said three input streams in each of said leaf nodes of said tree, respectively;

promoting said data items of said leaf nodes through said tree from a leaf node to said root node, including comparing a first status identifier of a first node with a second status identifier of a second node, promoting one of said data items of one said nodes to a node in a next level in said tree responsive to a status identifier value, and switching a next comparison to a third status identifier of a third node with one of said other nodes in said tree;

merging data items from said input streams into a single output stream from said promoted data items, said output stream being a stream separate from said input streams, by copying compared data items promoted to said root node of said tree, wherein the step of merging said data items into a single output stream includes resolving comparison of duplicate identifiers comprising:

comparing said status identifier of two of said nodes;

omitting a second node identifier comparison when a first data item in a first of said nodes remained in said node and was a duplicate of a second data item in a second of said nodes, wherein said second data item was promoted to a next ~~hierarchical node~~ level in said tree; and